

Frequently Asked Questions: Language Access

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1. Q. Who are Limited English Proficient (LEP) persons?

A. Persons who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English.

2. Q. What are the relevant authorities/references concerning language access for LEP person?

A. The legal authority applicable to language access:

- [Executive Order \(E.O.\) 13166](#), "Improving Access to Services for Persons with Limited English Proficiency," (August 16, 2000).
- [DHS Language Access Plan](#) (February 28, 2012).
- [CBP Language Access Plan](#) (November 18, 2016).

3. Q. What is CBP's policy regarding provision of language access?

A. It is the policy of CBP to make reasonable efforts to provide meaningful access, free of charge, to persons with limited English proficiency to its operations, services, and other conducted activities and programs without unduly burdening the Agency's fundamental mission. This obligation applies to any medium of communication and to interactions with the public, including but not limited to, in-person or telephonic contact; written correspondence, including email; use of websites and newsletters; community engagement events and activities; and documents explaining CBP programs.

4. Q. What is the difference between language interpretation and translation?

A. Interpretation involves *oral* communication – the immediate communication of meaning from one language into another. Translation involves *written* communication – the replacement of written text from one language with written text in another language.

5. Q. What are my responsibilities as a CBP employee regarding language assistance?

A. All CBP employees are responsible for taking reasonable steps to provide language assistance to LEP persons with whom they engage or encounter in the course of carrying out their duties.

6. Q. What job aids are available to assist CBP employees to identify the primary language of LEP persons?

A. The following practical tools are available to CBP employees to assist individuals who are not proficient in English to identify their primary language: 1.) the “I Speak” [poster](#); 2.) “Habla?” [poster](#) for indigenous languages; 3.) the “I Speak” [pocket guide](#) or booklet; and 4.) the Indigenous Language Identification [Tool](#).

7. Q. How can CBP employees ensure the provision of oral language assistance?

A. CBP has a variety of staff who may provide oral language assistance services including bilingual employees; CBP Officers and Agriculture Specialists who are tested and receive a proficiency determination pursuant to [CBP Directive 51451-004B](#), “Foreign Language Awards Program;” and CBP employees who receive Spanish language training during basic academy training. While staff who complete CBP language training and/or obtain a proficiency rating under the Foreign Language Award Program may provide language assistance services in some circumstances, these staff are not necessarily bilingual. Employees should consult with their supervisor for specific information on the resources available at their work location. The following information is also provided for frontline offices:

Office of Field Operations: In addition to CBP staff who may be able to provide language assistance services in a variety of languages, U.S. Citizenship and Immigration Service (USCIS) operates a language line that can be accessed to provide language interpretation services during office hours on weekdays. Additionally, some Field Offices have individual contracts for language interpretation services that can be accessed at any time. First line supervisors should be contacted for information about local contracts. When appropriate on a case-by-case basis, CBP may also utilize language assistance from commercial air carriers.

U.S. Border Patrol: Border Patrol Agents have a Spanish language requirement for their position. In addition, the U.S. Border Patrol has a national contract for language interpretation services that can be accessed telephonically when staff who may provide language assistance are not available. A [memorandum](#) from the Chief, U.S. Border Patrol, dated April 5, 2012, titled “Over-the-Phone Translation Services” provides guidance on how to access contract language services.

Air and Marine Operations: Air and Marine Interdiction Agents have a Spanish language requirement for their position which may allow them to provide Spanish language assistance.

8. Q. What should I keep in mind when working with interpreters?

A. The following tips will help ensure effective communication:

- Using the interpreter, explain to the LEP individual how the interpreter will assist.
- Maintain eye contact with the LEP individual whether the interpreter is on the phone or in-person.
- Speak directly to the LEP individual.
- Do not have side conversations with the interpreter.
- If you need to read prepared text (e.g. on a form the LEP person is being asked to sign), be careful not to read too fast.
- Speak clearly and naturally.
- Avoid jargon or technical terms or explain the terms.
- Be patient and avoid interrupting during the interpretation.¹
- Interrupt if the interpreter and LEP individual are having a side conversation or appear confused.
- Never ask for the interpreter's opinion.

CBP staff can review the document “Working with Contract Interpreters” for tips on how to communicate and interact with LEP persons when using an interpreter secured from the USCIS Language Line or a contract language interpretation service.

9. Q. How does CBP determine which documents to translate into foreign languages?

A. CBP translates documents when a significant number or percentage of the population eligible to be served, or likely to be directly affected by the program or activity, needs services or information in a language other than English to communicate effectively. Whether or not a document (or the information it solicits) is “vital” may depend on the importance of the program information, encounter, or service involved, and the consequence to the LEP person if the information in question is not provided accurately or in a timely manner. Each program office is responsible for determining which of its documents are vital documents requiring translation.

10. Q. What is the role of the Privacy and Diversity Office in the provision of language access?

A. The CBP Privacy and Diversity Office (PDO), Custody Support and Compliance Division, ensures implementation of the Language Access Plan and communication of the contents to the CBP workforce; works with the relevant program offices to facilitate the identification of CBP

¹ Foreign languages can have longer words (or more syllables/sounds), different grammar rules, use multiple words to express a meaning, be less direct in conveying a thought, or imply certain meanings, making the conversation longer than a similar one in English. Interpreters may also take additional time to ensure the question or message is understood in the correct context.

materials, forms and other documents that may require translation; and periodically monitors, evaluates, and updates the CBP Language Access Plan and language access policies.

11. Q. What foreign languages are covered under the CBP Language Access Plan?

A. CBP's Language Access Plan states that CBP will make reasonable efforts to provide meaningful access to all LEP persons in its operations, services, and other conducted activities and programs. This means that any language will be subject to this requirement. However, the foreign languages most often encountered by CBP employees in their daily duties include, but are not limited to: Spanish, French, Tagalog, Japanese, German, Portuguese, Korean, Indonesian Bahasa, Italian, Dutch, Quechua, Swedish, Russian, Hebrew, Arabic, Romanian, Punjabi, Chinese, Bengali, and Hindi.

12. Q. May CBP employees rely on friends or family members of the LEP person as interpreters?

A. Requesting assistance from a friend, minor child, or family member traveling or detained with an LEP individual should ordinarily be avoided or reserved for brief, straightforward communications when approved resources are not readily available, or in emergency situations.

13. Q. Where can I find additional resources to provide language assistance services?

A. Additional materials and resources to provide language assistance services may be accessed on CBP's Custody Support and Compliance Division Intranet [website](#) or by contacting CBP's Language Access Coordinator, Larry L. White, at PDOTaskings@cbp.dhs.gov or by phone at (915) 775-5912.